

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CYNTHIA L. BOREN,

Plaintiff,

v.

JO ANNE B. BARNHART Commissioner of  
Social Security,

Defendant.

Case No. C04-5182FDB

ORDER OF REMAND TO SOCIAL  
SECURITY COMMISSIONER

The Ninth Circuit reversed the Administrative Law Judge's application of res judicata barring any reconsideration of "disability" prior to February 25, 2000, the date the first ALJ found Boren "not disabled." The Ninth Circuit remanded with instructions "to consider whether she was disabled prior to September 30, 1998, the date she was last insured for disability benefits." Accordingly, this matter will be remanded to the Social Security Commissioner to effect the Ninth Circuit's directive.

NOW, THEREFORE, IT IS ORDERED: This matter is REMANDED to the Commissioner of Social Security to consider whether Plaintiff Cynthia L. Boren was disabled prior to September 30, 1998, the date she was last insured for disability benefits.

DATED this 15<sup>th</sup> day of October, 2007.



FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE